

STATE OF INDIANA)
) SS:
COUNTY OF MARION)
 CAUSE NO.

BRADLEY LEMONS

VS.

ANTHONY WATTS and
SWIFT TRANSPORTATION CO.

COMPLAINT FOR DAMAGES

Comes now the Plaintiff, Bradley Lemons, by counsel, Nathan D. Foushee of Ken Nunn Law Office, and for his cause of action against the Defendants, Anthony Watts and Swift Transportation Co., alleges and states as follows:

STATEMENT AND JURISDICTION

1. This is a clear liability collision in which Defendants' 2019 Freightliner tractor and attached trailer, was negligently driven by Anthony Watts causing a collision with the vehicle driven by Plaintiff, Bradley Lemons. As a result of the collision, Plaintiff has incurred medical expenses, lost wages, property damage including, but not limited to, diminished value, and other special expenses in an amount to be proven at trial of this cause.

2. Jurisdiction and venue are appropriate in Marion County, Indiana, as said collision occurred within the boundaries of Marion County, State of Indiana.

FIRST CAUSE OF ACTION

NEGLIGENCE OF ANTHONY WATTS

3. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 2 above as if fully restated verbatim.

4. On or about April 25, 2019 Defendant Anthony Watts negligently drove a tractor-trailer, striking the vehicle driven by Plaintiff, Bradley Lemons.

5. Defendant Anthony Watts had a duty to operate his tractor trailer in a safe and reasonable manner.

6. Defendant Anthony Watts failed in the above mentioned duties and is therefore negligent.

7. Defendant Anthony Watts' negligence was the direct and proximate cause of

Plaintiff's injuries.

8. Plaintiff Bradley Lemons' injuries and damages are permanent.

9. As a direct and proximate result of Anthony Watts' negligence, Bradley Lemons has suffered lost wages.

10. Plaintiff Bradley Lemons has incurred medical bills for the treatment of his injuries directly resulting from this collision.

11. As a direct and proximate result of Anthony Watts' negligence, Bradley Lemons has experienced physical and mental pain and suffering, lost wages, property damage including, but not limited to, diminished value, and has lost the ability to perform usual activities, resulting in a diminished quality of life.

SECOND CAUSE OF ACTION

NEGLIGENCE PER SE OF ANTHONY WATTS

12. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 11 above as if fully restated verbatim.

13. Anthony Watts violated state and federal statutes and regulations including but not limited to Title 9 of the Indiana Code.

14. Defendant Anthony Watts' statutory violations directly and proximately caused Plaintiff's damages and injuries.

15. Defendant Anthony Watts is negligent per se based on these statutory and regulatory violations.

THIRD CAUSE OF ACTION

RESPONDEAT SUPERIOR OF SWIFT TRANSPORTATION CO.

16. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 15 above as if fully restated verbatim.

17. Defendant Anthony Watts was the employee, agent, servant, or independent contractor for Swift Transportation Co. Accordingly, Swift Transportation Co. is vicariously liable for the acts of Defendant Anthony Watts for the causes of action above.

WHEREFORE, the Plaintiff, Bradley Lemons, by counsel Nathan D. Foushee of Ken Nunn Law Office, demands judgment against the Defendants, Anthony Watts and Swift

Transportation Co. for permanent injuries in a reasonable amount to be determined at the trial of this cause, for medical expenses, lost wages, property damage including, but not limited to, diminished value, and other special expenses, court costs and all other just and proper relief in the premises.

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REQUEST FOR TRIAL BY JURY

Comes now the plaintiff, by counsel, Ken Nunn Law Office, and requests that this matter be tried by jury pursuant to Trial Rule 38.

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